

CORRECTED FISCAL NOTE

SB 2426 - HB 3229

March 31, 2006

SUMMARY OF BILL: Authorizes the Department of Safety to negotiate an agreement with federal authorities to train Tennessee Highway Patrol officers to perform immigration law enforcement functions and authorizes trained officers to enforce federal immigration and customs laws in Tennessee.

ESTIMATED FISCAL IMPACT:

On March 21, we issued a fiscal note that indicated:

Other Fiscal Impact - The U.S. Department of Homeland Security will send instructors to Tennessee to train selected officers of the Tennessee Highway Patrol. The costs of the five-week training session will be borne by the U.S. Department of Homeland Security. The costs of travel and per diem for officers to attend the training and the costs of backfill and over-time to cover such officer's position while attending the training will be paid for through federal grants administered through the Tennessee Department of Homeland Security. It is estimated that the travel, per-diem, backfill and over-time costs that will be covered by federal grants will exceed \$100,000 for the initial training in FY07 and will be less than \$50,000 in subsequent years to cover the costs of continued education and to train any new officers added to the program. Any operational costs, such as investigations and over-time, that the Department of Safety incurs in the execution of a Trooper's duty as an immigration officer will not be covered by federal grants but will be covered by the State. Such costs can not be quantified but could be significant.

Upon further review we want to clarify that while the State will incur expenditures related to any operational costs, such as investigations and over-time, in the execution of a Trooper's duty as an immigration officer, these costs are estimated to be less than \$100,000. Therefore, the estimated fiscal impact of this bill is:

(CORRECTED)

Other Fiscal Impact – The U.S. Department of Homeland Security will send instructors to Tennessee to train selected officers of the Tennessee Highway Patrol. The costs of the five-week training session will be borne by the U.S. Department of Homeland Security. The costs

**SB 2426 - HB 3229
(CORRECTED)**

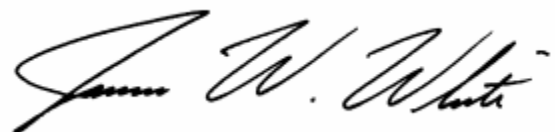
of travel and per diem for officers to attend the training and the costs of backfill and over-time to cover such officer's position while attending the training will be paid for through federal grants administered through the Tennessee Department of Homeland Security. It is estimated that the travel, per-diem, backfill and over-time costs that will be covered by federal grants will exceed \$100,000 for the initial training in FY07 and will be less than \$50,000 in subsequent years to cover the costs of continued education and to train any new officers added to the program. Any operational costs, such as investigations and over-time, that the Department of Safety incurs in the execution of a Trooper's duty as an immigration officer will not be covered by federal grants but will be covered by the State. Such costs can not be quantified but are estimated to be less than \$100,000.

Assumptions:

- The Highway Patrol will select thirty-two officers for training, four each per eight THP Districts.
- The U.S. Department of Homeland Security will cover the costs of classroom training.
- Federal grants, administered by the Tennessee Department of Homeland Security, will cover the costs of travel, per-diem, backfill and over-time associated with the training.
- Any time an officer spends conducting immigration duties will reduce the time they have available for patrol and regular enforcement duties. This could result in an increase in over-time expenditures that will be incurred by the State.
- In the event that a non-trained officer needs the assistance of a trained officer and no such trained officer is on duty and must be called-out, the state will incur over-time expenditures.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

**SB 2426 - HB 3229
(CORRECTED)**